

REMARKS

Claims 1-3, 6, 8-13, 15, 16, and 21-23 were pending in the application when last examined, and all these claims stand rejected. In the present response, Claims 1, 11, 22, and 23 are amended.

Claim Rejections 35 U.S.C. §102

Claims 22 and 23 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2001/0004253 to Fukutoku et al., herein referred to as “Fukutoku”.

Claims 22 and 23 are patentable over Fukutoku because they recite that “the signal controller comprises: a line counter for determining a row to which the block belongs; and a block counter for determining the position of the block in the row.” The Office Action points to Fukutoku’s element 11 in FIG. 8 as showing a signal controller. However, Fukutoku fails to disclose that its controller 11 includes a line counter and a block counter. Hence, Claims 22 and 23 are patentable over Fukutoku.

Claim Rejections 35 U.S.C. §103

Claims 1-3, 6, 11-13, and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukutoku in view of U.S. Patent Application Publication No. 2002/0130830 to Park, herein referred to as “Park.”

Applicant traverses this rejection on the ground that Park cannot be used as a basis for a rejection under 35 U.S.C. §103. 35 U.S.C. §103(c)(1) states the following:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall **not** preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person. (emphasis added).

As the subject Application has a priority date of June 28, 2002 and Park was filed in the U.S. on March 15, 2002, Park qualifies as prior art under 35 U.S.C. §102(c). Park's subject matter and the claimed invention were, at the time the claimed invention was made, owned by or subject to an obligation of assignment to Samsung Electronics Co., Ltd. Hence, Park cannot be used to preclude the patentability of the subject invention. For this reason, Claims 1-3, 6, 11-13, and 21 are patentable over a combination of Fukutoka and Park.

Claims 8, 9, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukutoku and Park, and further in view of U.S. Patent No. 3,925,777 to Clark ("Clark"). Claims 8, 9, and 16 depend from Claims 1 and 11. As explained above, Park is not a proper reference against Claims 1 and 11, and Fukutoka alone fails to disclose all the limitations of Claims 1 and 11. For example, as admitted in the Office Action, Fukutoku does not describe that the signal controller includes a line counter and a block counter (see Office Action, bottom of page 7 to top of page 8). Clark fails to cure the deficiency of Fukutoka, as it also fails to mention a line counter and a block counter. Hence, Claims 8, 9, and 16 are patentable.

Claims 10 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fukutoku and Park, in view of U.S. Patent No. 3,740,743 to Baron ("Baron"). Claims 10 and 15 depend from Claims 1 and 11 and Park is not a valid reference against the invention under this section, as explained above. Hence, Claims 10 and 15 are patentable over Fukutoku and Baron.

Conclusion

In view of the remarks set forth above, it is submitted that the application is now in condition for allowance. Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 50-5029. If the Examiner has any questions or concerns, a telephone call to the undersigned at (408) 331-1672 is welcomed and encouraged.

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